

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 496 of 2005

Between:

Madhava Hytech Engineers P.Ltd., rep by Authorised representative

B.Prasad, Ro.12-13-245, Street No.15, Tarnaka, Secunderabad.

..... PETITIONER

AND

- 1 The District Collector Ranga Reddy District
Lak-di-ka-pool, Hyderabad.
- 2 The Mandal Revenue Officer, Uppal, Ranga Reddy District.
- 3 The Commissioner Uppal Municipality, Ranga Reddy District.
- 4 The Station House Officer Uppal Police Station, Ranga Reddy District.
- 5 K.Anand Kumar S/o.K.Babu Rao
H.No.2-2-647/273/5/1, C.E.Colony,
Begh Amberpet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or other appropriate order or direction in the nature of a writ directing the Respondents 1 to 4 to take action on the representations of the petitioner dt 10-1-2005, 9-1-2005, 8-1-2005 and 28-12-2004 and to initiate action as per law after declaring the inaction thereof as arbitrary and violative of articles 14 of the Constitution of India and dereliction of duty.

Counsel for the Petitioner : Mr.B.NALIN KUMAR

Counsel for Respondents 1 to 4: G.P. FOR REVENUE

Counsel for Respondent No.5 : Mr.OGIRALA RAMESH (not present)

The Court, at the admission stage, made the following:

ORDER:

When the matter was taken up in the morning, counsel for Caveator/fifth respondent was not present. Therefore, the matter was passed over and even in the afternoon also, there was no representation on behalf of fifth respondent. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents 1 to 4 and with their consent, the writ petition is being disposed of at the admission stage.

The case of the petitioner is that the fifth respondent who was having 11 guntas of land in Survey No.505/3 in Uppal village has encroached upon the abutting green belt area, as well as the public road situated on the eastern side and the same affecting the petitioner company which owns adjacent land to an extent of Ac.2-12 guntas in Survey No.461, Uppal village. The grievance of the petitioner in this writ petition is that it has made several representations dated 28.12.2004, 8.1.2005, 9.1.2005 and 10.1.2005 to the respondents 1 to 4 complaining about the encroachment made by the fifth respondent, but the respondents have not taken any action on such representations. Hence the writ petition.

The learned Government Pleader for Revenue, on instructions, submits that the respondents 1 to 4 had already initiated action against fifth respondent under the provisions of Land Encroachment Act by issuing notices.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondents 1 to 4 to take appropriate action on the representations submitted by the petitioner in respect of the alleged encroachment made by the fifth respondent, after giving due opportunity to the petitioner as well as fifth respondent, expeditiously within a period of three weeks from today.

The writ petition is accordingly disposed of at the admission stage. No costs.

N. V. RAMANA, J

January 25, 2005

DA

To

- 1 The District Collector Ranga Reddy District
Lak-di-ka-pool, Hyderabad.
- 2 The Mandal Revenue Officer, Uppal, Ranga Reddy District.
- 3 The Commissioner Uppal Municipality, Ranga Reddy District.
- 4 The Station House Officer Uppal Police Station, Ranga Reddy District.
- 5 Two CCs to the G.P. for Revenue, High Court Buildings,
Hyderabad (OUT)
- 6 Two C.D. Copies.